

REMARKS/ARGUMENTS

Claims 1-13 and 18-26 remain in the application. Claims 14-17 and 27-29 are cancelled by this response. No new matter is added by this response

A. Claim Objections.

The amendment to claim 13 is believed to overcome the objection stated in the office action.

B. Rejections under 35 U.S.C. 112.

Claims 1-12, 17 and 22 were rejected under 35 U.S.C. 112. This rejection is respectfully traversed.

The amendment to claim 1 is believed to overcome the ground for rejection stated in the Office action. It is respectfully requested that the rejection of claims 1-12 be withdrawn.

The amendment to claim 17 is believed to overcome the ground for rejection stated in the Office action. It is respectfully requested that the rejection of claim 17 be withdrawn.

The amendment to claim 22 is believed to overcome the ground for rejection stated in the Office action. It is respectfully requested that the rejection of claim 22 be withdrawn.

C. Rejections under 35 U.S.C. 102.

Claims 1, 3 and 9-11 were rejected under 35 U.S.C. 102 based upon Carneal et al. Apparently claims 4-6 and 8 were intended to be included in this rejection. This rejection is respectfully traversed.

Independent claim 1, as amended, calls for the intermediary server to comprise a web server. To the extent proxy server 68 in Carneal et al. is considered an intermediary server, there is no hint or suggestion to implement this proxy server as a web server. Accordingly, it is respectfully requested that the rejection of claim 1 and claims 2-6 and 8-11 that depend from claim 1 be withdrawn.

Claims 14-17 were rejected under 35 U.S.C. 102 based upon Sharber. This rejection is respectfully traversed. Cancellation of claim 14-17 renders this rejection moot.

Claims 13 and 18-26 were rejected under 35 U.S.C. 102 based upon Jordon et al. This rejection is respectfully traversed.

Claims 13, as amended, calls for the intermediary servers to comprise a web server. Similarly, claim 18 calls for a front-end web server and a back-end web server. Jordon does not show or suggest implementing the cooperating proxy cache servers as web servers. For at least these reasons claims 13 and 18, as well as claims 19-21 that depend from claims 13 and 18, are believed to be allowable over the relied on reference.

Claim 22 calls for a resolver mechanism for supplying a network address of the intermediary web server to the client applications, wherein the resolver mechanism dynamically selects a particular intermediary web server from amongst the plurality of intermediary web servers based at least in part on the content of each intermediary web server's cache. The cited portion of Jordan mentions conventional DNS and load balancing techniques, but does not show or suggest selecting amongst members of its cooperating proxy cache based on the cache contents. For this reason the rejection of claim 22 and claims 23-26 that depend from claim 22 should be withdrawn.

Claims 27-28 were rejected under 35 U.S.C. 102 based upon the Speculative reference. The cancellation of claims 27-28 renders this rejection moot.

D. Rejections under 35 U.S.C. 102.

Claim 7 was rejected under 35 U.S.C. 103(a) based upon Carneal in view of Sharber. This rejection is respectfully traversed. Claim 7 depends from claim 1 and is distinct over Carneal for at least the reasons stated above. Sharber does not supply the deficiencies of Carneal. Accordingly, it is respectfully requested that the rejection be withdrawn.

Claim 12 was rejected under 35 U.S.C. 103(a) based upon Carneal in view of Kroft. This rejection is respectfully traversed. Claim 12 depends from claim 1 and is distinct over Carneal for at least the reasons stated above. Kroft does not supply the deficiencies of Carneal. Accordingly, it is respectfully requested that the rejection of claim 12 be withdrawn.

Claim 29 was rejected under 35 U.S.C. 103(a) based upon the Speculative reference. The cancellation of claim 29 renders this rejection moot.

E. Conclusion.

The references that were cited but not relied upon are no more relevant than the references that were relied upon. In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact Applicants' attorney at the telephone number listed below.

Any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

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Respectfully submitted,



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